

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MONTROYA ANTHONY JONES,)	
)	
Petitioner,)	
)	1:20CV720
v.)	1:00CR96-1
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

The Order and Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on August 11, 2020, was served on the parties in this action. Petitioner objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.¹

IT IS THEREFORE ORDERED that this action be dismissed *sua sponte* without prejudice to Petitioner filing in the proper

¹ This case was only reassigned to the undersigned on March 16, 2023, and the court recognizes that Petitioner's circumstances have changed because he is no longer in prison. See <https://www.bop.gov/inmateloc/> (search of Petitioner's name indicating he was "Released On: 03/15/2023"). In light of this, it is unclear whether he still seeks to raise a claim. However, if Petitioner believes he has a viable claim, he may still raise it in the proper form in the correct district.

district after exhausting any available administrative remedies. A judgment dismissing this action will be entered contemporaneously with this Order. Finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is not issued.

The Clerk of Court is directed to obtain Petitioner's current mailing address from the United States Probation Office and send this Order to that address.

/s/ Thomas D. Schroeder
United States District Judge

June 23, 2023